

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UMAR ALLI,

Plaintiff,

-against-

E.S.U. OFFICER SYLLA, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 8/12/2021

21-CV-4866 (ALC)

ORDER OF SERVICE

ANDREW L. CARTER, JR., United States District Judge:

Plaintiff, currently incarcerated in the North Infirmiry Command on Rikers Island, is proceeding *pro se* and *in forma pauperis*. On June 14, 2021, the Court issued an order requesting that the New York City Department of Correction (DOC) and The City of New York waive service on Defendants. ECF No. 6. On July 14, 2021, the DOC filed an unexecuted waiver of service for Defendant Chief Hazel Jennings, indicating that it is unable to waive service for this defendant because she has retired from service with the DOC.¹ ECF No. 9. Under *Valentin v. Dinkins*, 121 F.3d 72, 76 (2d Cir. 1997), a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. It is therefore **ORDERED** that the New York City Law Department, which is the attorney for and agent of the DOC, ascertain the address where Defendant Hazel Jennings can be served and provide this information to the Court within sixty days of the date of this order.

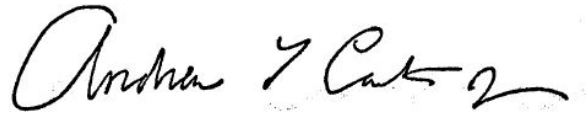
By letter dated July 10, 2021, Plaintiff requests that the Court order Defendants to answer the complaint or enter default judgment for Defendants' failure to answer the complaint. ECF

¹ Waivers of service were returned executed for Defendants Sylla (#4945), Ferraro (#1805), Lewis (#8106), Moise (#1451), and the City of New York. ECF Nos. 8, 11. The DOC indicates that E.S.U. Officer Galuevskiy (#8957) is currently on military leave. Service was therefore not waived as to that defendant. ECF No. 9.

No. 12. Because Defendants' deadline to answer the complaint has not expired, Plaintiff's request is DENIED. Individual defendants that have waived service have until September 13, 2021, to answer the complaint. ECF No. 8. Defendant City of New York has until August 13, 2021 to answer the complaint. ECF No. 11. The Clerk of Court shall serve a copy of this Order and the complaint on the New York City Law Department at: 100 Church Street New York, NY 10007. The Clerk of Court is further directed to mail a copy of this Order and the waivers of service, ECF Nos. 8-9, 11, to Plaintiff.

SO ORDERED.

Dated: August 12, 2021
New York, New York

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written in a cursive style.

ANDREW L. CARTER, JR.
United States District Judge